



PATENT
Our Docket: P-PM 4978

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
Rose et al.) Examiner: Not yet assigned
)
Serial No.: 10/087,188)
) Group Art Unit: 3736
Filed: February 28, 2002)
) I hereby certify that this correspondence is being deposited with the
For: METHODS OF DIAGNOSING) United States Postal Service as first class mail in an envelope
LIVER FIBROSIS) addressed to: Box Missing Parts, Commissioner for Patents,
) Washington, D.C. 20231, on June 17, 2002.
)
By Andrea L. Gashler
COMMISSIONER FOR PATENTS) Andrea L. Gashler, Reg. No. 41,029
WASHINGTON, D.C. 20231)
Attention: BOX MISSING PARTS)
June 17, 2002
Date of Signature

MISSING PARTS TRANSMITTAL

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed April 18, 2002, enclosed are:

- X 1. A copy of the Notice to File Missing Parts;
- X 2. An executed Declaration for Patent Application;
- X 3. A Recordation Form Cover Sheet and an executed Assignment;
- X 4. An executed Small Entity Statement;
- X 5. An executed Power of Attorney for Patent Application by Assignee;
- X 6. An executed Statement Under CFR 3.73(b) with copy of executed Assignment;
- X 7. Request for Entry of Substitute Specification;
- X 8. Substitute Specification, pages 1 through 130, including claims, abstract and Figures 1 and 2;
- X 9. Marked up version of originally filed specification.

The filing fee has been calculated as shown below:

	NUMBER FILED		NUMBER EXTRA		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	77 - 20	=	57	x	\$9	\$18	= \$513	\$
INDEPEN- DENT CLAIMS	7 - 3	=	4	x	\$42	\$84	= \$168	\$
MULTIPLE DEPENDENT CLAIMS PRESENTED: XX YES NO					\$140	\$280	= \$140	\$
					BASIC FEE		\$370	\$740
					TOTAL FEE		\$1,191	

- X 10. A check in the amount of \$1,296.00 to cover the filing fee of \$1,191.00, the surcharge fee of \$65.00, and \$40.00 for recording an Assignment for the application is enclosed.

Inventors: Rose et al.
 Serial No.: 10/087,188
 Filed: February 28, 2002
 Page 2

X A paper copy and computer readable copy of the sequence listing, pages 1 through 8, and a Statement under 37 CFR § 1.821(f) and (g) are being concurrently filed and sent to U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

X Any additional filing fees required under 37 C.F.R. 1.16.

X Any patent application processing fees under 37 C.F.R. 1.17.

X The Commissioner is hereby authorized to charge to Deposit Account No. 03-0370 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted

Date: June 17, 2002

By: Andrea L. Gashler
 Andrea L. Gashler
 Reg. No. 41,029

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/087,188	02/28/2002	Steven L. Rose	P-PM 4978

CONFIRMATION NO. 8656

FORMALITIES LETTER



OC000000007910956

23601
CAMPBELL & FLORES LLP
4370 LA JOLLA VILLAGE DRIVE
7TH FLOOR
SAN DIEGO, CA 9212206/26/2002 SSESHE1 00000043 10087188
01 FC:201 370.00 OP
02 FC:203 513.00 OP
03 FC:202 168.00 OP
04 FC:204 140.00 OP
05 FC:205 65.00 OP

Date Mailed: 04/18/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1642.
 - \$1026 for 57 total claims over 20.
 - \$336 for 4 independent claims over 3.
 - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2512.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:


- A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention

is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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PATENT

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In Re Application of:)
Rose et al.) Examiner: Not yet assigned
Serial No.: 10/087,188)
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LIVER FIBROSIS)
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By Andrea L. Gashler
Andrea L. Gashler, Reg. No. 41,029
June 17, 2002
Date of Signature

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231
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REQUEST FOR ENTRY OF SUBSTITUTE SPECIFICATION

A request to enter the attached substitute specification under 37 C.F.R. § 1.125 is respectfully submitted.

REMARKS

As required by the Notice to File Missing Parts of Nonprovisional Application mailed April 18, 2002, issued in connection with the above-identified application, submitted herewith is a substitute specification, with pages 1 through 130 including the claims, abstract and Figures 1 and 2. The substitute specification is submitted to correct informalities in the margins of the originally filed specification.

A marked copy of the originally filed specification is also submitted herewith, which indicates changes in the margins of Tables 5, 7, and 8.



10087188 . 062102

Declaration for Patent Application
Attorney Docket No.: P-PM 4978
Serial No.: 10/087,188

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By Andrea L. Gashler
Andrea L. Gashler, Reg. No. 41,029

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Page 2

The substitute specification merely corrects informalities in the originally filed specification and is supported by the original specification as filed. The substitute specification only changes the margins and formatting of Tables 5, 7, and 8 as indicated in the marked copy and does not introduce new matter. Therefore, entry of the substitute specification is respectfully requested. No fee is deemed necessary in connection with the filing of this Request to Substitute. However, if any fee is required, authorization is given to charge the amount of this fee to Deposit Account No. 03-0370.

Respectfully submitted,

Date: June 17, 2002

By: Andrea L. Gashler
Andrea L. Gashler
Reg. No. 41,029

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